

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
NORTHEASTERN DIVISION

In re)
RON A. HENARD TRUST, U/W) Chapter 11 Case
Debtor.)
) Case No. 10-52886
)
)
)
In re) Chapter 11 Case
HENARD ENTERPRISES, INC.) Case No. 10-52888
Debtor.)
)
)

NOTICE OF HEARING

A hearing will be held November 30, 2010 at 9:00 a.m. in Bankruptcy Courtroom, James H. Quillen United States Courthouse, 220 West Depot Street, Greeneville, Tennessee on the Debtors' Motion For Order Authorizing Joint Administration Pursuant To Federal Rule Of Bankruptcy Procedure 1015.

If you do not want the court to grant the relief requested, you or your attorney must attend this hearing. If you do not attend the hearing, the court may decide that you do not oppose the relief sought in the Motion and may enter an order granting that relief.

**DEBTORS' MOTION FOR ORDER AUTHORIZING JOINT
ADMINISTRATION PURSUANT TO FEDERAL RULE
OF BANKRUPTCY PROCEDURE 1015(b)**

Henard Enterprises, Inc. (hereinafter "Henard") and Ron A. Henard Trust, U/W (hereinafter "Trust"), the above captioned debtors and debtors in possession (collectively, the "Debtors"), by counsel, respectfully represent:

Background

1. On November 5, 2010 (the “Petition Date”), each of the Debtors filed a voluntary petition for relief under chapter 11 of title 11 of the United States Code (the “Bankruptcy Code”). The Debtors intend to continue in possession of their respective properties and the management of their respective businesses as debtors in possession pursuant to sections 1107 and 1108 of the Bankruptcy Code.
2. No trustee, examiner or committee of creditors has been appointed in these cases.
3. The Debtors are intertwined in several areas as follows:
 - (a) The Trust owns all the equity shares of Henard.
 - (b) The Trust and Henard are in the business of property investment, leasing and development.
 - (c) Bruce Martin is the Trustee for the Trust along with Jack, C. Phelps of First Bank & Trust.
 - (d) Bruce Martin is the Executive Vice President of Henard.
 - (e) Obligations to the Trust and Henard are intertwined through guarantees, hypothecation and co-maker type financial arrangements.
 - (f) The Trust and Henard have elected to request the hiring of Fred M. Leonard, Esquire to represent them in their Chapter 11 including the filing of the petition and schedules as well as aiding them in administrating their Bankruptcy estate as a Debtor-in-Possession.
5. The Debtors’ financial results have suffered from a variety of factors, including the drastic downturn in economy.

6. This Court has jurisdiction over this motion pursuant to 28 U.S.C. §§ 157 and 1334. Venue of these cases and the within motion in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409. The statutory predicate for the relief sought herein is Rule 1015 of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules").

RELIEF REQUESTED

1. By this motion, the Debtors seek the entry of an order of this Court, pursuant to Bankruptcy Rule 1015(b), joining the Debtors' chapter 11 cases for administrative purposes..

2. Bankruptcy Rule 1015(b) authorizes the Court to order the joint administration of these two (2) cases pending before it under the Bankruptcy Code involving affiliated debtors. The Debtors believe that it would be far more practical and expedient for the administration of these two (2) related chapter 11 cases if the Court were to authorize their joint administration. The Debtors envision that many of the motions, hearings and other matters involved in these chapter 11 cases will affect both of the Debtors. Consequently, joint administration will reduce costs and facilitate a more efficient administrative process, unencumbered by the procedural problems otherwise attendant to the two (2) separate, albeit related, chapter 11 cases.

3. Moreover, no prejudice will befall any party by virtue of the relief requested in this motion inasmuch as the relief sought herein is solely procedural and is not intended to affect substantive rights.

PROCEDURE

4. No trustee, examiner or creditors' committee has been appointed in these Chapter 11 cases. Notice of this motion has been given to the United States Trustee

and all parties as listed on the Certificate of Service attached hereto. The Debtors submit that, under the circumstances, no other or further notice is required.

5. No prior motion for the relief requested herein has been made to this or any other court.

CONCLUSION

WHEREFORE, the Debtors respectfully request that the Court enter an order, substantially in the form as annexed hereto as Exhibit A, granting this motion and such other and further relief as the Court deems just and proper.

Dated: November 8, 2010

Ron A. Henard Trust, U/W
Henard Enterprises, Inc.

By: /s/ FRED M. LEONARD
Fred M. Leonard, TN Bar No.001525
Attorney for Debtors
27 Sixth Street
Bristol, TN 37620
423-968-3151

CERTIFICATE OF SERVICE

I, Fred M. Leonard, Attorney for the Debtor-in-Possession, do hereby certify that on the 8th day of November, 2010, a true and exact copy of the foregoing Motion and proposed Order has been deposited in the U.S. Mail, first class, postage prepaid to the U.S. Trustee's Office and to Patricia Foster, Attorney for the U.S. Trustee, U.S. Courthouse, Suite 114, 800 Market Street Knoxville, TN 37902 and to all parties on the attached service listing.

/s/ Fred M. Leonard
FRED M. LEONARD